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FINDLEY, CHRISTOPHER G				
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/802,451

**Applicant(s)**

MILLS, LAWRENCE R.

**Examiner**

CHRISTOPHER FINDLEY

**Art Unit**

2621

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 12 August 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-5,9,11,12,14-21 and 23-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5,9,11,12,14-21 and 23-26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Response to Arguments*

1. Applicant's arguments filed 8/12/2009 have been fully considered but they are not persuasive.
2. Re claim 1, the Applicant contends that the prior art cited fails to teach or suggest all of the claim limitations, wherein the claim language has been amended "to explicitly recite that the panoramic view and the virtual view are directly extracted from the buffered image data, i.e., 'generate, from the buffered wide angle image data, panoramic view data' and 'generate virtual view data from the wide-angle image data used to generate the panoramic view data.'" However, the Examiner again disagrees with the Applicant's characterization of the claim language. The claim language explicitly states that the panoramic view is directly extracted from the buffered wide angle image data, but a distinction is implicitly made that the virtual view data is generated differently, since the portion regarding the generation of the virtual view omits the phrase, "from the buffered wide angle image data." As previously stated by the Examiner, the virtual view of Koyanagi is generated by a user selecting a portion of the panoramic view, and, therefore, the virtual view of Koyanagi is generated based on the image data contained in the panoramic view. Furthermore, the Applicant's own specification supports the interpretation that the Examiner has applied to the claim language. Referring to the Pre-Grant Publication for the instant application (US 2005/0062845 A1), the Applicant's specification states in paragraph [0023], "**Virtual view data may be obtained** either by transformation of portions of the wide-angle video

image data, or **by positioning and focusing a camera having a normal lens (i.e., not a wide angle lens) or a telephoto lens to produce image data for the determined portion of the monitored area.**" (emphasis added) The claim language presented currently does not explicitly claim that the virtual view is directly extracted from the buffered wide angle image data. Therefore, the Examiner maintains that the prior art cited reads on the claims and deems the Applicant's arguments non-persuasive.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. **Claims 1-4, 11, 12, 14, 16-18, and 20, 21, 23, and 26 are rejected under 35 U.S.C. 102(e) as being anticipated by Koyanagi et al. (US 20040257436 A1).**

Re **claim 1**, Koyanagi discloses a system for creating signals indicative of a graphical user interface from wide-angle image data corresponding to a monitored area, said system comprising: a buffer configured to receive wide-angle image data corresponding to the monitored area (Koyanagi: Fig. 3, storing portion 30); and a processor (Koyanagi: Fig. 3, computer 1 and controlling portion 31) operably coupled to said buffer and configured to: generate, from the buffered wide angle image data,

panoramic view data of a panoramic view of the monitored area (Koyanagi: Fig. 3 and paragraph [0046], computer 1 comprises a controlling portion 31, a video capture portion 29, and a storing portion 30; Figs. 1 and 2 and paragraph [0051], computer 1 processes graphics in the operation area 6A (corresponding to the claimed virtual view) and the panorama operation area 6B (corresponding to the claimed panoramic view) displayed on the monitor, and, therefore, the controlling portion 31 of computer 1 must control the processing algorithms for generating the graphics in the operation area 6A and the panorama operation area 6B); generate virtual view data from the wide-angle image data used to generate the panoramic view data, the virtual view data representing a virtual view of a portion of the panoramic view (Koyanagi: Fig. 3 and paragraph [0046], computer 1 comprises a controlling portion 31, a video capture portion 29, and a storing portion 30; Figs. 1 and 2 and paragraph [0051], computer 1 processes graphics in the operation area 6A (corresponding to the claimed virtual view) and the panorama operation area 6B (corresponding to the claimed panoramic view) displayed on the monitor, and, therefore, the controlling portion 31 of computer 1 must control the processing algorithms for generating the graphics in the operation area 6A and the panorama operation area 6B; paragraph [0012], the user selects a desired point for the operation area and the system generates a photograph at the designated position selected; Fig. 3, pointing device 14 is connected to computer 1, indicating that computer 1 processes the positional information from the user input); and encode the panoramic view data and the virtual view data for display (Koyanagi: paragraph [0043],

captured images are displayed; paragraph [0051], pictures may be captured in a particular format).

Re **claim 2**, Koyanagi discloses a user input module configured to provide user command data to said processor (Koyanagi: Fig. 3, pointing device 14; paragraph [0045]); and said processor being further configured to determine the virtual view data based on the user command data (Koyanagi: paragraph [0044]).

Re **claim 3**, Koyanagi discloses that the processor is further configured to determine reference data corresponding to an area in the panoramic view represented by the virtual view (Koyanagi: Fig. 1; paragraph [0043], "a frame 6C that represents the current position and the angle of view of the pan tilter and a pan tilter limiter 6D are superimposed to the panorama picture").

Re **claim 4**, Koyanagi discloses a first video camera system having a first video camera operably coupled to said buffer and said processor (Koyanagi: Fig. 3, lens block 15 and CCD 19 generate image data), said first video camera system operable to generate wide-angle image data (Koyanagi: Figs. 4A-4F and paragraphs [0021] and [0053]-[0054], image data is compiled into a panoramic view).

Re **claim 11**, Koyanagi discloses that the system transforms wide-angle image data received by the buffer into virtual view data corresponding to the virtual view and into panoramic view data corresponding to the panoramic view in real time (Koyanagi: Fig. 15; paragraph [0131], the flow of the control algorithm advances to relevant steps in accordance with a user input, indicating real-time processing).

Re **claim 12**, Koyanagi discloses a display device operably coupled to said processor to display the panoramic view and the at least one virtual view (Koyanagi: Fig. 3, monitor 2).

Re **claim 14**, Koyanagi discloses at least one reference window overlaid on at least one portion of the panoramic view, each overlaid portion defining the portion of the panoramic view to which the virtual view corresponds (Koyanagi: Figs. 1 and 2), and the at least one reference window having a size and a position determined according to the user command data (Koyanagi: paragraph [0043], user controls position of operation area/virtual view; Fig. 16B; Figs. 10A and 10B; paragraph [0094], zoom operation changes the size of the reference window within the panoramic view).

**Claim 16** recites the corresponding method for implementation within the system of claim 1, and, therefore, has been analyzed and rejected with respect to claim 1 above.

Re **claim 17**, Koyanagi discloses determining pan, tilt and zoom values (Koyanagi: Fig. 16A, step S13); and determining a portion of the buffered wide-angle data to transform into virtual view data for the virtual view based on the pan, tilt and zoom values (Koyanagi: paragraphs [0050]-[0051]).

Re **claim 18**, Koyanagi discloses determining reference data based on the pan, tilt and zoom values (Koyanagi: paragraph [0043]).

Re **claim 20**, Koyanagi discloses encoding reference data, virtual view data and panoramic view data for output (Koyanagi: paragraph [0051]).

Re **claim 21**, Koyanagi discloses a system for creating signals indicative of a graphical user interface from wide-angle image data corresponding to a monitored area, said system comprising: means for storing wide-angle image data corresponding to a monitored area (Koyanagi: Fig. 3, storing portion 30); and means for processing and generating view data corresponding to a plurality of views from said buffered wide-angle image data received from said storing means, the view data including panoramic view data corresponding to at least one panoramic view of the monitored area and virtual view data corresponding to at least one virtual view of a portion of the at least one panoramic view (Koyanagi: Fig. 3 and paragraph [0046], computer 1 comprises a controlling portion 31, a video capture portion 29, and a storing portion 30; Figs. 1 and 2 and paragraph [0051], computer 1 processes graphics in the operation area 6A (corresponding to the claimed virtual view) and the panorama operation area 6B (corresponding to the claimed panoramic view) displayed on the monitor, and, therefore, the controlling portion 31 of computer 1 must control the processing algorithms for generating the graphics in the operation area 6A and the panorama operation area 6B; paragraphs [0053]-[0054], images merged to form panoramic pictures; paragraph [0012], the user selects a desired point for the operation area and the system generates a photograph at the designated position selected; Fig. 3, pointing device 14 is connected to computer 1, indicating that computer 1 processes the positional information from the user input).

Re **claim 23**, Koyanagi discloses that the size and the position of each reference window determines pan, tilt and zoom values for the corresponding virtual view



(Koyanagi: paragraph [0043], user controls position of operation area/virtual view; Fig. 16B; Figs. 10A and 10B; paragraph [0094], zoom operation changes the size of the reference window within the panoramic view).

Re **claim 26**, Koyanagi discloses determining a position and a size of at least one reference window positioned over the portion of at least one of the at least one panoramic view corresponding to the virtual view, the position and size defined according to user command data (Koyanagi: paragraph [0043], user controls position of operation area/virtual view; Fig. 16B; Figs. 10A and 10B; paragraph [0094], zoom operation changes the size of the reference window within the panoramic view); and wherein the pan, tilt and zoom values are based upon the position and the size of the at least one reference window (Koyanagi: paragraph [0044], user input controls pan tilter).

### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. **Claims 9 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Koyanagi et al. (US 20040257436 A1) in view of Monroe (US 20070182819 A1).**

Re **claim 9**, Koyanagi discloses a majority of the features of claim 9, as discussed above in claim 4, and additionally a camera system operably coupled to the

processor (Koyanagi: Fig. 3, camera portion 11), said camera system having a camera and being configured to aim the camera at a portion of the monitored area according to pan, tilt and zoom command data (Koyanagi: paragraphs [0048]-[0049]), and configured to capture video image data (Koyanagi: Fig. 3, camera portion 11 outputs a video signal); and wherein the processor is further configured to communicate pan, tilt and zoom command data to cause the camera system to aim the camera at a portion of the monitored area (Koyanagi: paragraphs [0048]-[0049]), but Koyanagi does not specifically disclose that the camera system includes a second video camera; and wherein captured video image data from the second video camera is included in the virtual view.

However, Monroe discloses a digital security multimedia sensor system, wherein panoramic views of monitored areas are created by merging images captured by a multitude of cameras (Monroe: Fig. 2, elements 10a-10h) and cameras within the array may be selectively scrutinized in order to track objects (Monroe: Fig. 16; paragraph [0106]). Since both Koyanagi and Monroe relate to panoramic image processing, one of ordinary skill in the art at the time of the invention would have found it obvious to combine the multiple cameras of Monroe with the photographing system of Koyanagi in order to permit transmission of the least amount of data to accomplish the desired image transmission (Monroe: paragraph [0024]). The combined system of Koyanagi and Monroe has all of the features of claim 9.

Re **claim 19**, the combined system of Koyanagi and Poelstra discloses a majority of the features of claim 19, as discussed in claims 16-18 above. Koyanagi additionally

discloses that the buffered wide-angle data is received from a first video camera system communicating pan, tilt and zoom commands to a camera system (Koyanagi: paragraph [0049]); and receiving virtual view data for the at least one virtual view (Koyanagi: paragraph [0012]) from the camera system (Koyanagi: paragraph [0012]), but Koyanagi does not specifically disclose a second virtual view and receiving virtual view data for the second virtual view, wherein captured video image data from the second video camera is included in the at least one virtual view.

However, Monroe discloses a digital security multimedia sensor system, wherein panoramic views of monitored areas are created by merging images captured by a multitude of cameras (Monroe: Fig. 2, elements 10a-10h) and cameras within the array may be selectively scrutinized in order to track objects (Monroe: Fig. 16; paragraph [0106]). Since both Koyanagi and Monroe relate to panoramic image processing, one of ordinary skill in the art at the time of the invention would have found it obvious to combine the multiple cameras of Monroe with the photographing system of Koyanagi in order to permit transmission of the least amount of data to accomplish the desired image transmission (Monroe: paragraph [0024]). The combined system of Koyanagi and Monroe has all of the features of claim 19.

**7. Claims 5, 15, 24, and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Koyanagi et al. (US 20040257436 A1) in view of Poelstra (US 5563650 A).**

Re **claim 5**, Koyanagi discloses a majority of the features of claim 5, as discussed above in claim 4, but Koyanagi does not specifically disclose that the first video camera system includes a fisheye lens. However, Poelstra discloses a device for producing and consulting panoramic images, wherein images are produced using a fish eye lens and the images are transformed into panoramic images (Poelstra: column 1, lines 42-48). Since both Koyanagi and Poelstra relate to producing panoramic images for review by a user, one of ordinary skill in the art at the time of the invention would have found it obvious to combine the fish eye lens of Poelstra with the photographing system of Koyanagi in order to produce a system capable of creating multiple panoramic views very quickly for consultation by the user (Poelstra: column 1, lines 38-41). The combined system of Koyanagi and Poelstra has all of the features of claim 5.

Re **claim 15**, Koyanagi disclose a majority of the features of claim 15, as discussed in claim 14 above. Additionally, Koyanagi discloses that the panoramic view includes a first panoramic view, the first panoramic view corresponding to a first portion of the monitored area (Koyanagi: Figs. 4A-4E, a panoramic image representing a portion of the monitoring area is extracted); the virtual view includes a first virtual view, the first virtual view corresponding to a first portion of the first panoramic view (Koyanagi: Figs. 1 and 2, the operation area represents a selected portion of the panorama operation area), but Koyanagi does not specifically disclose that the at least one panoramic view includes a second panoramic view, the second panoramic view corresponding to the remaining portion of the monitored area, and a second virtual view, the second virtual view corresponding to a second portion of the second panoramic

view; and a combination of the first panoramic view and the second panoramic view provide a 360° view of the monitored area relative to a vertical axis.

However, Poelstra discloses a device for producing and consulting panoramic images, wherein images are produced using a fish eye lens and the images are transformed into panoramic images (Poelstra: column 1, lines 42-48), and more than one panoramic image may be extracted from the initial fish eye image (Poelstra: Figs. 5 and 6; column 3, lines 42-46). Poelstra further discloses registering of complete surroundings in a single image with the help of a fish eye optic (Poelstra: column 1, lines 50-51), wherein successive radial panoramic images are generated from the original fish eye image (Poelstra: column 1, line 65, through column 2, line 7). By disclosing that the fish eye image registers the complete surroundings, Poelstra indicates that the fish eye image encompasses 360°, and, thus, one of ordinary skill in the art at the time of the invention would have found it obvious that the radial images generated from the original fish eye image would also encompass the complete surroundings. Poelstra also discloses that the fish eye image is converted to panoramic images with reference to the center of the fish eye image (Poelstra: column 2, lines 1-2), wherein the center of the fish eye image corresponds to a reference axis, and an angle  $\gamma$  indicates the maximum viewing angle with respect to an axis that is perpendicular to the axis corresponding to the center of the fish eye image (Poelstra: Fig. 7; column 3, lines 56-61). Since both Koyanagi and Poelstra relate to producing images for consultation by a user, one of

ordinary skill in the art at the time of the invention would have found it obvious to combine the multiple panoramic image display of Poelstra with the panoramic/virtual view display of Koyanagi in order to produce a system capable of producing and consulting a large number of panoramic views quickly (Poelstra: column 1, lines 38-41). The combined system of Koyanagi and Poelstra has all of the features of claim 15.

Re **claim 24**, the combined system of Koyanagi and Poelstra discloses a majority of the features of claim 24, as discussed above in claim 15. Additionally, Koyanagi discloses that the at least one reference window is user-selectable for controlling the size and the position of the reference window to determine pan, tilt and zoom values for the corresponding virtual view (Koyanagi: paragraph [0043], user controls position of operation area/virtual view; Fig. 16B; Figs. 10A and 10B; paragraph [0094], zoom operation changes the size of the reference window within the panoramic view).

Re **claim 25**, Koyanagi discloses a majority of the features of claim 25, as discussed above in claim 16. Koyanagi does not specifically disclose two panoramic views. However, Poelstra discloses a device for producing and consulting panoramic images, wherein the at least one panoramic view includes: a first panoramic view corresponding to a first portion of the monitored area (Poelstra: Fig. 6, transformed image 22; column 3, lines 3-4 and 42-46); a second panoramic view corresponding to a remaining portion of the monitored area (Poelstra: Fig. 6, transformed image 23; column 3, lines 3-4 and 42-46); and the first panoramic view and the second panoramic view combine to provide a 360° view of the monitored area relative to a vertical axis (Poelstra: column 1, lines 50-51, registering of complete surroundings in a single

image with the help of a fish eye optic; column 1, line 65, through column 2, line 7, successive radial panoramic images are generated from the original fish eye image); and wherein said method further comprises encoding the first panoramic view, the second panoramic view, and virtual view of a portion of at least one of the first panoramic view and the second panoramic view for simultaneous display (Poelstra: Fig. 6; column 3, lines 3-4, two panoramic images are displayed simultaneously). Since both Koyanagi and Poelstra relate to producing images for consultation by a user, one of ordinary skill in the art at the time of the invention would have found it obvious to combine the multiple panoramic image display of Poelstra with the panoramic/virtual view display of Koyanagi in order to produce a system capable of producing and consulting a large number of panoramic views quickly (Poelstra: column 1, lines 38-41). The combined system of Koyanagi and Poelstra has all of the features of claim 25.

### ***Conclusion***

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

- a. Image reproduction apparatus with panoramic mode based on aspect ratio  
Suzuki (US 7206017 B1)
- b. Multi-Sensor Panoramic Network Camera  
Kaplinsky (US 20050141607 A1)
- c. Visual user interface for use in controlling the interaction of a device with a spatial region

Lassiter (US 6624846 B1)

d. System for a plurality of video cameras disposed on a common network

Metzger et al. (US 20060136972 A1)

e. Surround surveillance system for mobile body, and mobile body, car, and train using the same

Kumata et al. (US 20020005896 A1)

f. Surround surveillance apparatus for mobile body

Kumata et al. (US 20020080017 A1)

g. Storing and processing partial images obtained from a panoramic image

Kotake et al. (US 7103232 B2)

h. Panoramic digital camera system

Whiting et al. (US 6034716 A)

### ***Contact***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHRISTOPHER FINDLEY whose telephone number is (571)270-1199. The examiner can normally be reached on Monday-Friday (8:30 AM-5:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha D. Banks-Harold can be reached on 571-272-7905. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Marsha D. Banks-Harold/  
Supervisory Patent Examiner, Art Unit 2621

/Christopher Findley/